

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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of

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Complete if Known

Application Number 10/812,837
 Filing Date 03/30/2004
 First Named Inventor David G. MALONE
 Art Unit 3732
 Examiner Name Unknown
 Attorney Docket Number 92030/03-701

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AS	AA	US- 2001/0032018 A1	10/18/2001	Castro, et al.	
	AB	US- 6,179,873 B1	01/30/2001	Zientek	
	AC	US- 6,039,762	03/21/2000	McKay	
	AD	US- 6,015,436	01/18/2000	Schonhoffer	
	AE	US- 6,010,502	01/04/2000	Bagby	
	AF	US- 5,980,522	11/09/1999	Koros, et al.	
	AG	US- 5,976,187	11/02/1999	Richelsoph	
	AH	US- 5,968,099	10/19/1999	Badorf, et al.	
	AI	US- 5,906,616	05/25/1999	Pavlov, et al.	
	AJ	US- 5,876,457	03/02/1999	Picha, et al.	
	AK	US- 5,702,449	12/30/1997	McKay	
	AL	US- 5,683,394	11/04/1997	Rinner	
	AM	US- 5,571,192	11/05/1996	Schonhoffer	
AS	AN	US- 5,055,104	10/08/1991	Ray	
	AO	US- 4,501,269	02/26/1985	Bagby	
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
AS	AP	EP 0716840 A2	07/06/1996	Surgical Dynamics, Inc.		
AS	AQ	FR 2760355 A	07/11/1998	Serge Schroyer		

Examiner Signature	A. Stewart	Date Considered	02/09/06
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application Number	10/812,837
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First Named Inventor	David G. MALONE
Art Unit	3732
Examiner Name	Unknown
Attorney Docket Number	92030/03-701

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
AS	AR	AGAZZI, S., et al., "Posterior lumbar interbody fusion with cages: an independent review of 71 cases," J NEUROSURG (SPINE 2), Vol. 91, pp. 186-192, (1999).	
	AS	GOH, J.C.H., et al., "Influence of PLIF Cage Size on Lumbar Spine Stability," SPINE, Vol. 25 (No. 1), pp. 35-40, (2000), Lippincott Williams & Wilkins, Inc.	
	AT	GREENOUGH, C.G., et al., "Anterior Lumbar Fusion. A Comparison of Noncompensation Patients with Compensation Patients," CLINICAL ORTHOPAEDICS AND RELATED RESEARCH, No. 300, pp. 30-37, (1994), J.B. Lippincott Company.	
	AU	HACKER, R.J., "Comparison of Interbody Fusion Approaches for Disabling Low Back Pain," SPINE, Vol. 22 (No. 6), pp. 660-666, (1997), Lippincott-Raven Publishers.	
	AV	HIGHHOUSE, M.E., et al., "Lateral Intertransverse Process Single-Level Fusion for Salvage of the Unstable Failed Posterior Lumbar Interbody Fusion," JOURNAL OF SPINAL DISORDERS, Vol. 9 (No. 1), pp. 59-63, (1996), Lippincott-Raven Publishers.	
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	AX	MCAFEE, P.C., et al., "Minimally Invasive Anterior Retroperitoneal Approach to the Lumbar Spine. Emphasis on the Lateral BAK," SPINE, Vol. 23 (No. 13), pp. 1476-1484, (1998), Lippincott-Raven Publishers.	
	AY	MCAFEE, P.C., et al., "Revision Strategies for Salvaging or Improving Failed Cylindrical Cages," SPINE, Vol. 24 (No. 20), pp. 2147-2153, (1999), Lippincott Williams & Wilkins, Inc.	
	AZ	SCHLEGEL, K. F., et al., "The Biomechanics of Posterior Lumbar Interbody Fusion (PLIF) in Spondylolisthesis," CLINICAL ORTHOPAEDICS AND RELATED RESEARCH, No. 193, pp. 115-119, (1985).	
AS	BA	VAMVANI, V., et al., "Surgical Treatment of Internal Disc Disruption: An Outcome Study of Four Fusion Techniques," JOURNAL OF SPINAL DISORDERS, Vol. 11 (No. 5), pp. 375-382, (1998), Lippincott Williams & Wilkins (Philadelphia).	

Examiner
Signature

A. Stuart

Date
Considered

02/09/06

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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First Named Inventor	David G. MALONE
Art Unit	3732
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Attorney Docket Number	92030/03-701

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
AS	BB	VOOR, M.J., et al., "Biomechanical Evaluation of Posterior and Anterior Lumbar Interbody Fusion Techniques," JOURNAL OF SPINAL DISORDERS, Vol. 11 (No. 4), pp. 328-334, (1998), Lippincott Williams & Wilkins (Philadelphia).	
AS	BC	ZHAO, J., et al., "Posterior Lumbar Interbody Fusion Using Posterolateral Placement of a Single Cylindrical Threaded Cage," SPINE, Vol. 25 (No. 4), pp. 425-430, (2000), Lippincott Williams & Wilkins, Inc.	

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PTO/SB/08a (08-03)



PATENT
FORM PTO-1449
Attorney Docket No.: 92030/03-701
Page 1 of 2

FORM PTO-1449 (Modified) SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>	Attorney Docket No.: 92030/03-701	
	Applicant(s): David G. MALONE	
	Title: Devices and methods for facilitating controlled bone growth or repair	
	Serial No.: 10/812,837	Filing Date: 03/30/2004
	Group: 3732	Examiner: Unknown

U.S. PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	Subclass
AS	AA	6,613,084	09/02/2003	Yang	623	1.42
	AB	6,409,764	06/25/2002	White et al.	623	16.11
	AC	6,022,376	02/08/2000	Assell et al.	623	17
	AD	5,888,222	03/30/1999	Coates et al.	623	17
✓	AE	5,755,798	05/26/1998	Papavero et al.	623	17
AS	AF	5,571,189	11/05/1996	Kuslich	623	17

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name (Inventors)	Class	<u>Translation</u> Yes / No
	AB					

OTHER ART

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AC	

Examiner Signature <i>A. Stewart</i>	Date Considered <i>02/09/06.</i>
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